

## Message Text

UNCLASSIFIED

PAGE 01 BONN 11375 082205Z  
ACTION JUSE-00

INFO OCT-01 EUR-12 ISO-00 EB-07 COME-00 L-03 CIAE-00  
INR-07 NSAE-00 TRSE-00 /030 W  
-----113070 090819Z /10  
R 082155Z JUL 77  
FM AMEMBASSY BONN  
TO SECSTATE WASHDC 9691

UNCLAS BONN 11375

DEPT PASS JUSTICE, ANTI-TRUST DIVISION, MR. DAVIDOW

E.O. 11652: N/A  
TAGS: ETRD, GW  
SUBJ: NOTIFICATION UNDER ARTICLE 2 (2) OF THE  
US-FRG ANTI-TRUST COOPERATION AGREEMENT

THE EMBASSY HAS RECEIVED THE FOLLOWING MESSAGE FROM  
THE FRG CARTELL OFFICE FOR PASSAGE TO THE ANTI-TRUST  
DIVISION, DEPARTMENT OF JUSTICE, PURSUANT TO  
ARTICLE 2 (2) OF THE SUBJECT AGREEMENT:

QUOTE: IN MARCH 1975, EM LABORATORIES, ELMSFORD,  
U.S.A., ACQUIRED THE RONA DIVISION OF WHITTAKER  
CORP., LOS ANGELES, U.S.A., WHICH REPRESENTS A  
SUBSTANTIAL PART OF THE ASSETS WITHIN THE MEANING  
OF SEC. 23 (2) NO. 1 OF THE ACT AGAINST RESTRAINTS OF  
COMPETITION (ARC).

THROUGH MERCK HOLDING AG, ZUG, SWITZERLAND, EM  
LABORATORIES ARE AFFILIATED WITH E. MERCK, DARMSTADT.  
THE RONA DIVISION MANUFACTURES ORGANIC AND INORGANIC  
PIGMENTS WHICH IT SELLS ALSO IN THE FEDERAL REPUBLIC  
OF GERMANY.

THE DIVISION HAS STARTED TO EXAMINE WHETHER A MARKET  
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DOMINATING POSITION OF E. MERCK IS CREATED OR  
STRENGTHENED AS A RESULT OF THE NOTIFIED MERGER, OR  
WHETHER THE MERGER WILL LEAD TO IMPROVEMENTS IN THE  
CONDITIONS OF COMPETITION WITHIN THE MEANING OF  
SEC. 24 (1) OF THE ARC. (SIGNED) KARTTE. UNQUOTE.  
STOESSEL

UNCLASSIFIED

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** ANTITRUST, AGREEMENT DRAFT, BUSINESS MERGERS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 08-Jul-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01-Jan-1960 12:00:00 am  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977BONN11375  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770244-0676  
**Format:** TEL  
**From:** BONN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770779/aaaacqua.tel  
**Line Count:** 61  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** c6e7146f-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION JUSE  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 16-Nov-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1926800  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** NOTIFICATION UNDER ARTICLE 2 (2) OF THE US-FRG ANTI-TRUST COOPERATION AGREEMENT THE EMBASSY HAS RECEIVED THE FOLLOWING MESSAGE FRO  
**TAGS:** ETRD, GE, US  
**To:** STATE  
**Type:** TE  
**vdkgvkey:** odb://SAS/SAS.dbo.SAS\_Docs/c6e7146f-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009